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**AUG 28 2006**

**OFFICE OF PETITIONS**

In re Patent of :  
Arnold et al. :  
Application No. 10/044,824 : DECISION  
Filed: January 10, 2002 : ON PETITION  
Attorney Docket Number: :  
4620-00006 :

This is a decision on the Petition to Revive an Unintentionally Abandoned Application Under 37 CFR 1.137(b), filed November 7, 2005. The delay in treating this petition is regretted.


The petition is granted.

The above-identified application became abandoned for failure to timely and properly reply to the final Office action, mailed January 24, 2005. The Office action set a three (3) month period for reply, and provided for extensions of time under 37 CFR 1.136(a). Applicant filed a reply on April 22, 2005; however, the reply failed to place the application in condition for allowance. Applicant was so notified in an Advisory Action, mailed May 3, 2005. No timely and proper reply having been received, the application became abandoned April 25, 2005. The mailing of this Decision precedes the mailing of a Notice of Abandonment.

With the instant petition, Applicant has filed a Request for Continued Examination ("RCE") and a submission in the form of an Amendment.

This application is being returned to Technology Center 1743 for processing of the RCE and Amendment in due course.

Telephone inquiries related to this decision may be directed to the undersigned at (571) 272-3232.

  
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Office of Petitions